

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

DERRICK BRADDOCK,

Plaintiff,

v.

JEFFERY STIEVE, et al.,

Defendants.

---

Case No. 1:19-cv-15

HON. JANET T. NEFF

**ORDER**

This is a prisoner civil rights action filed pursuant to 42 U.S.C. § 1983. Defendants Dr. Jeffery Stieve and Dr. William Borgerding filed a Motion to Dismiss and for Summary Judgment (ECF No. 23). The matter was referred to the Magistrate Judge, who issued a Report and Recommendation on November 19, 2019, recommending that this Court grant the motion, dismiss without prejudice Plaintiff's claims against Unknown Parties for failure to timely effect service, and terminate this action. The Report and Recommendation was duly served. No objections have been filed. *See* 28 U.S.C. § 636(b)(1). This Court adopts the Magistrate Judge's Report and Recommendation as the Opinion of this Court. A Judgment will be entered consistent with this Order. *See* FED. R. CIV. P. 58. Because this action was filed *in forma pauperis*, this Court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that an appeal of this decision would not be taken in good faith. *See McGore v. Wrigglesworth*, 114 F.3d 601, 610 (6th Cir. 1997), overruled on other grounds by *Jones v. Bock*, 549 U.S. 199, 206, 211-12 (2007). Therefore,

**IT IS HEREBY ORDERED** that the Report and Recommendation (ECF No. 28) is APPROVED and ADOPTED as the Opinion of the Court.

**IT IS FURTHER ORDERED** that the Motion to Dismiss and for Summary Judgment (ECF No. 23) is GRANTED.

**IT IS FURTHER ORDERED** that this Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that an appeal of this decision would not be taken in good faith.

Dated: December 16, 2019

/s/ Janet T. Neff  
JANET T. NEFF  
United States District Judge